

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sheena Otto	Team: Team # 1	CCRB Case #: 200503596	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 04/01/2005 9:00 PM	Location of Incident: § 87(2)(b)	Precinct: 70	18 Mo. SOL 10/1/2006	EO SOL 10/1/2006	
Date/Time CV Reported Tue, 04/05/2005 12:17 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 04/05/2005 12:17 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Ronald Ramos	05297	935562	070 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT James Dennedy	01948	918640	070 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ronald Ramos	Abuse: PO Ronald Ramos stopped and questioned § 87(2)(b)	

Synopsis

§ 87(2)(b) and an individual known only as § 87(2)(b) were waiting for their friend, § 87(2)(b) to arrive at his home at § 87(2)(b) in Brooklyn on 4/1/05. They tried to gain access to the building by following another tenant inside, who refused to grant them access. PO Ronald Ramos, of the 70th Precinct, assigned to an Impact Post in the immediate vicinity of the building, responded and assessed the situation. § 87(2)(b) told PO Ramos that they were waiting for their friend, § 87(2)(b) to arrive. § 87(2)(b) arrived, and PO Ramos attempted to verify his claim that he lived in the building by checking his identification to confirm that the addresses matched. However, the addresses did not match. Under Sgt. James Dennedy's supervision, PO Ramos ran § 87(2)(b)'s identification and § 87(2)(b)'s identification for warrants, believing that they might have been involved in a robbery that took place in the building the previous night. § 87(2)(b) had an unrelated active warrant, and was subsequently arrested.

This is a reassigned case, reassigned by Supervising Investigator Nawrocki from Inv. Lawrence to the undersigned investigator on 7/5/05.

§ 87(2)(b), § 87(2)(g)

Summary of Complaint

§ 87(2)(b) called this agency on 4/5/05 to complain about an incident that took place on 4/1/05. His initial intake statement was consistent with the statement he provided during his interview, summarized below.

§ 87(2)(b) was interviewed by Inv. Lawrence on 4/21/05. He is a § 87(2)(b) who § 87(2)(b) stated that he received a voicemail at approximately 7:00 PM from his friend § 87(2)(b) who used a special code that meant that the police were at his location. § 87(2)(b) does not know § 87(2)(b)'s last name, nor did he have any contact information for him. § 87(2)(b) told § 87(2)(b) not to worry about it, and not to rush home. § 87(2)(b) did not know why § 87(2)(b) was calling him, and proceeded to go home, which was located at § 87(2)(b). § 87(2)(b) was staying with § 87(2)(b) at the time.

When § 87(2)(b) arrived at § 87(2)(b), he saw that officers were detaining § 87(2)(b) and his other friend, whom he only knows as § 87(2)(b) in the lobby of his building. § 87(2)(b) knew that a woman had been robbed in the building the night before, and suspected that the officers were detaining his friends as suspects. § 87(2)(b) addressed an officer detaining his friends, subsequently identified as PO Ronald Ramos of the 70th Precinct, and asked how he was doing. PO Ramos asked § 87(2)(b) if he knew the two people he was detaining, § 87(2)(b) and § 87(2)(b). § 87(2)(b) replied that he did. He explained that he lived in the building, and they were waiting for him to return home. PO Ramos asked for his identification in order to verify that he lived at that address, but § 87(2)(b) told him that he didn't have to give him his identification, and instead used his mailbox key in his mailbox in order to prove that he lived in the building. More officers arrived at this point, including an officer identified as Sgt. James Dennedy. Sgt. Dennedy insisted that § 87(2)(b) provide his identification, so § 87(2)(b) did so. The officers told § 87(2)(b) to wait with his friends.

A few minutes later, the officers told § 87(2)(b) that he had an active warrant, which § 87(2)(b) knew to be true. § 87(2)(b)'s friends were released, but PO Ramos handcuffed and frisked § 87(2)(b) before transporting him to the 70th Precinct Stationhouse. § 87(2)(b) began screaming that he was not going to court. § 87(2)(b) told the officers that he needed his medication in order to calm his nerves, but they did not provide him with his medication. Once they reached the precinct, officers told § 87(2)(b) that if he went to the hospital, it would delay his trip home. § 87(2)(b) was eventually taken to the hospital approximately 3 hours later after insisting that he be treated at the hospital for his nerves.

Results of Investigation

§ 87(2)(b)'s friend § 87(2)(b) identified through this investigation as § 87(2)(b) was not interviewed because he did not initially respond to attempts to contact him. He did ultimately contact the undersigned investigator and give a brief phone statement, but he missed his scheduled interview on 10/27/05. § 87(2)(b)'s phone statement did not deviate from the statements already given in connection

with this investigation, and therefore a formal interview is unnecessary, because § 87(2)(b) would not provide new information that would alter the analysis of the facts already at hand.

PO Ronald Ramos

PO Ramos was interviewed on 6/13/05 by Inv. Lawrence. He worked from 4:00 PM on 4/1/05 until 12:35 AM on 4/2/05. He was dressed in uniform assigned to work alone at Impact Foot Post 45. He had entries in his memo book regarding his initial response at 8:45 PM to a dispute at § 87(2)(b), and § 87(2)(b)'s subsequent arrest at 9:16 PM.

A man who lived in § 87(2)(b) called 911 because he was involved in a dispute with two men who did not live in his building. PO Ramos learned that this man's wife had been robbed the night before as she was entering the building. He was concerned because he found these two men in the hallway on the § 87(2)(b) floor of the building, which is when the dispute began, and PO Ramos responded and brought the men downstairs to the lobby. The two men said they were waiting for their friend, § 87(2)(b). One of the men called § 87(2)(b) who arrived approximately 25 minutes later. The two men identified § 87(2)(b) when he arrived, and § 87(2)(b) told PO Ramos that he lived in the building. In order to verify this claim, PO Ramos asked for § 87(2)(b)'s identification. However, the address on § 87(2)(b)'s identification was not § 87(2)(b). PO Ramos ran everyone's identification in order to obtain more information and to investigate further whether or not these were the men responsible for last night's robbery. PO Ramos discovered that § 87(2)(b) had an active warrant, and arrested § 87(2)(b) at this time, while releasing the other two men.

PO Ramos transported § 87(2)(b) to the precinct with Sgt. Dennedy. PO Ramos asked § 87(2)(b) if he needed medical attention, as is standard procedure for all persons arrested when they are brought in front of the desk. § 87(2)(b) stated that he did not need medical attention, but stated that he took medication. PO Ramos asked if he needed to take his medication at that time, and § 87(2)(b) said that he did not, but might need to take it at a later time. PO Ramos ended his tour later that evening and § 87(2)(b) was still in the holding cells.

Regarding the lack of documentation for § 87(2)(b)'s arrest, PO Ramos explained that because § 87(2)(b) was returned on a warrant, the arrest processing is slightly different. § 87(2)(b) was classified as a "walk through" and was to go straight to Central Booking that night to see the judge immediately.

Sgt. James Dennedy

Sgt. Dennedy, formerly of the 70th Precinct but currently of IAB, was interviewed on 8/31/05. He worked in uniform with PO Gordon from 3:50 PM on 4/1/05 until 12:47 AM on 4/2/05 as the Impact Sergeant, which entails supervising all of the officers on Impact posts throughout the 70th Precinct. Sgt. Dennedy did not have any entries in his memo book regarding this incident.

Sgt. Dennedy received a call on the radio asking him to come to § 87(2)(b) to assist his officers. When Sgt. Dennedy arrived, he saw that PO Ramos had stopped three black males in the lobby of the building. Sgt. Dennedy spoke with a tenant of the building who explained that his wife had been robbed the night before in the building when individuals followed her into the building. When this man came home, these men tried to enter the building behind him, but he would not allow them to do so, fearing that they were the ones who were responsible for the incident the previous night. PO Ramos became involved when the men began arguing with each other.

PO Ramos explained to Sgt. Dennedy that there were two males waiting for their friend, § 87(2)(b) who lived in the building. § 87(2)(b) had arrived a short time after PO Ramos became involved. § 87(2)(b) told PO Ramos that he lived in the building, and PO Ramos asked for his identification. § 87(2)(b) refused to provide his identification, and it was at this point that Sgt. Dennedy believed he was called to the scene.

Sgt. Dennedy spoke to § 87(2)(b) and his friends, who also claimed that they were waiting for § 87(2)(b) to get home. Sgt. Dennedy asked § 87(2)(b) for his identification, and saw that the address on his identification did not match the address of the building. Sgt. Dennedy ran all three identifications and saw that § 87(2)(b) had an active warrant. Sgt. Dennedy then ordered that § 87(2)(b) be arrested for the open warrant. § 87(2)(b) was transported to the 70th Precinct stationhouse, but Sgt. Dennedy was not present for his arrest processing.

Sgt. Dennedy stated that the reason he ran the men's identifications was because a tenant of the building told the officers that he suspected that the three men might be responsible for his wife's robbery the previous night. When the information on § 87(2)(b)'s identification did not match the building address,

Sgt. Dennedy wondered if the men had any reason to be in the building, and wondered if they were responsible for the robbery, which is why he had their identifications checked.

Although other officers are believed to have been present at the incident location, these other officers were not interviewed because there are no discrepancies regarding the course of events. § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

PD Documents

Sprint job #§ 87(2)(b) shows that a call was made to 911 by an anonymous female caller stating that there were men trying to enter the building. The radio run further depicts a foot post responding to the job, and § 87(2)(b)'s subsequent arrest.

PO Ramos completed stop and frisk reports for § 87(2)(b) and § 87(2)(b). Both reports were identical and indicated that the three men were stopped because they were loitering in the building lobby, and were suspected of criminal activity, namely robbery. The reports further indicate that both men were frisked, but that only § 87(2)(b) was searched. § 87(2)(b) was frisked because "c[omplainant] pointed out suspect," and § 87(2)(b) was frisked and searched incident to his arrest.

The command log reflects that § 87(2)(b) was arrested at 9:15 PM. PO Ramos is § 87(2)(b)'s arresting officer, and Sgt. Dennedy authorized this arrest. There is no arrest number noted. An extensive search by the previously assigned investigator yielded negative results for § 87(2)(b)'s arrest information.

Officer Identification

§ 87(2)(b) identified PO Ramos as being the officer with whom he interacted who had stopped his friends, and PO Ramos confirmed that he had stopped § 87(2)(b)'s friends and also asked for § 87(2)(b)'s identification. PO Ramos identified Sgt. Dennedy as being the supervising officer on the scene, as did Sgt. Dennedy.

Officer and Civilian Histories

This is PO Ramos' first CCRB complaint during his 1 year tenure with the NYPD. As of July 25, 2005, the NYPD discontinued this agency's direct access to the BADS database. Although the NYPD is fulfilling this agency's request for BADS records, it has refused to provide the CCRB with the arrest histories of CCRB witnesses.

Conclusions and Recommendations

The established facts are that § 87(2)(b) and an individual known only as "§ 87(2)(b)" were waiting for § 87(2)(b) to arrive home. They tried to enter his building behind a man entering the building, but this man denied them access to the building. There was a verbal altercation at which point the police were called, and PO Ramos responded to the scene. PO Ramos held § 87(2)(b) and § 87(2)(b) until § 87(2)(b) arrived at the location so that PO Ramos could confirm their stories. When § 87(2)(b) arrived, PO Ramos asked for his identification. Upon seeing that the information on his identification did not match the building address, Sgt. Dennedy ordered that both identifications be checked for warrants. § 87(2)(b) had an active warrant and was subsequently arrested.

None of the events that transpired are in dispute. § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation A: PO Ramos stopped and questioned § 87(2)(b) and § 87(2)(b)

All parties agree that PO Ramos stopped § 87(2)(b) in order to determine his intentions inside of § 87(2)(b) after responding to the location pursuant to a 911 call. When § 87(2)(b) told PO Ramos that he was waiting for his friend, § 87(2)(b) PO Ramos then attempted to verify this information by stopping and questioning § 87(2)(b). § 87(2)(b) provided his identification, but the address on his identification did not match the address of the building. Knowing that a robbery occurred in the building

